IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 30028 of 2007(Y)

PETITIONER:

PAULSON, S/O. K.L.GEORGE,
NALLIKUZHY HOUSE, PARATHIKUZHY P.O.,
KANIPOOR VILLAGE, NEDUMANGAD.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
VELLARADA POLICE STATION.

2. VICTOR @ WILSON, S/O. K.L.GEORGE,
NALLIKUZHY, 7TH CHURCH, PUTHUKULANGARA,
NEDUMANGAD.

3. JOHN @ JOHNY, S/O. K.L.GEORGE,
NALLIKUZHY, THADATHARIKATHU HOUSE,
PARATHIKUZHY P.O., NEDUMANGAD.

BY GOVERNMENT PLEADER SRI. P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 30028 OF 2007-Y

Dated 10th October, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner and respondents 2 and 3 are brothers. There is some dispute between the petitioner on the one hand and respondents 2 and 3 on the other, regarding a property. He has filed O.S.No.496/2007 against them before the Munsiff's Court, Nedumangad. Ext.P1 is the plaint in that suit. The petitioner submits, there is a temporary injunction order passed by the said court against the respondents 2 and 3. But, violating that, they are trespassing into the property and threatening the petitioner. So, he has filed Ext.P2 representation before the police, seeking protection for enforcement of the order of the court.

2. If the interim order of the civil court is violated, the petitioner has remedies under the Code of Civil Procedure. No legal provision has been brought to our notice, enabling the police to execute the interim order of the civil court. Therefore, the police cannot be conferred jurisdiction to look

into the alleged violation of an interim order and grant remedy, if violation is noticed.

In the result, the writ petition fails and it is dismissed.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/